



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
BRIAN JOHN CRAGUN

Serial No.: 09/025,155

Filed: FEBRUARY 18, 1998

For: **METHOD AND SYSTEM FOR
AUTOMATIC TASK FORCE
SWAPPING DURING BROWSER
WAIT TIME**

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Attorney Docket No. RO9-97-195

Examiner: **LEWIS A. BULLOCK, JR.**

Art Unit: 2126

RECEIVED

DECLARATION UNDER 37 C.F.R. § 1.131

MAY 17 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Technology Center 2100

I, Brian John Cragun declare as follows:

1. I am the named inventor in U.S. Patent Application Serial No. 09/025,155, filed February 18, 1998.
2. The Examiner of the present application has rejected claims 28-48, all claims remaining in the present application, as anticipated by *Slotznick*, U.S. Patent No. 6,609,146, which issued August 19, 2003 and which was filed November 10, 1998 based upon a provisional application filed November 12, 1997.
3. The claims in the above-identified application are directed to a method and system for automatically swapping application tasks during data retrieval so that work can be accomplished in a second application while the first application is retrieving data.
4. I conceived the invention set forth in the claims of the present application at a data earlier than November 12, 1997, as evidenced by the copy of International Business Machines Corporation Disclosure No. RO897-0397, a copy of which is attached hereto as Appendix A. That disclosure teaches the automatic changing of task focus during data downloads so that user efficiency might be increased.

5. I also reduced the invention set forth in the present application to practice at a date prior to November 12, 1997, as evidenced by the logic flow chart attached hereto as Appendix B. That logic flow chart was created prior to November 12, 1997.

6. My invention disclosure was submitted to the International Property Law Department of International Business Machines Corporation in Rochester, Minnesota prior to November 12, 1997 and, in accordance with standard policy and procedure at International Business Machines Corporation, it was promptly evaluated by a patent evaluation team and authorized to be filed as a patent application.

7. Shortly thereafter the disclosure materials were transferred by International Business Machines Corporation to Andrew J. Dillon for preparation as a patent application.

8. I believe the patent application was undertaken in serial order among the other applications assigned to Andrew J. Dillon and was completed and filed on February 18, 1998.

9. I was diligent at all times between my conception and my completion of the invention or the filing of the above-referenced application as evidenced by the attachments to this Declaration.

Further Declarant sayeth not.

As a person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S.C. and that such willful, false statements may jeopardize the validity of the Application or any patent issued thereon.

Brian John Cragun 5/6/2004
BRIAN JOHN CRAGUN